

# HOUSE BILL REPORT

## SSB 5749

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### As Passed House - Amended:

March 4, 2022

**Title:** An act relating to rent payments made by residential and manufactured housing community tenants.

**Brief Description:** Concerning rent payments made by residential and manufactured housing community tenants.

**Sponsors:** Senate Committee on Housing & Local Government (originally sponsored by Senators Trudeau, Salomon, Hasegawa, Nobles and Wilson, C.).

### Brief History:

#### Committee Activity:

Housing, Human Services & Veterans: 2/17/22, 2/22/22 [DP].

#### Floor Activity:

Passed House: 3/4/22, 91-5.

### Brief Summary of Substitute Bill (As Amended by House)

- Requires a landlord to accept a personal check, cashier's check, or money order for rent payments.
- Requires a landlord to allow tenants to submit rent payments by mail unless the landlord provides an accessible, on-site location for payments.
- Prohibits a landlord from including in the rental agreement a provision in which the tenant agrees to make rent payments through electronic means only.

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## HOUSE COMMITTEE ON HOUSING, HUMAN SERVICES & VETERANS

**Majority Report:** Do pass. Signed by 9 members: Representatives Peterson, Chair;

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Taylor, Vice Chair; Gilday, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Bateman, Chopp, Donaghy, Jacobsen and Leavitt.

**Staff:** Serena Dolly (786-7150).

**Background:**

The Residential Landlord-Tenant Act (RLTA) regulates the relationship between residential landlords and tenants, including the duties of tenants and landlords and remedies for violations of those duties. With some statutory exceptions, the rental of a dwelling unit for living purposes is generally covered under the RLTA. Under the RLTA, a rental agreement may not include provisions in which the tenant agrees to certain items, such as agreeing to waive rights or remedies available under the RLTA.

The Manufactured/Mobile Home Landlord-Tenant Act (MHLTA) governs the legal rights, remedies, and obligations arising from any rental agreement between a landlord and a tenant regarding a mobile home lot within a mobile home park where the tenant has no ownership interest in the property or in the association that owns the property. Under the MHLTA, a rental agreement may not include provisions in which the tenant agrees to certain items, such as agreeing to waive rights or remedies available under the MHLTA.

Under the RLTA, a landlord may refuse to accept cash for any payment of rent made by a tenant. Under both the RLTA and the MHLTA, a landlord must provide a receipt for any payment made by a tenant in the form of cash and must also provide, upon the request of a tenant, a written receipt for any payments made by the tenant in a form other than cash.

**Summary of Amended Bill:**

A landlord must accept a cashier's check or money order for payment of rent by a tenant. In addition, a landlord must accept a personal check unless the tenant has written a personal check to the landlord or the landlord's agent that has been returned for nonsufficient funds or account closure within the previous nine months. A landlord also must allow a tenant to submit a rental payment by mail or unless the landlord provides an accessible, on-site location for payments. A landlord may not include any provision in a rental agreement that allows a tenant to pay rent through electronic means only.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill removes barriers for those who do not have access to electronic payments. Landlords just want the rent paid by whatever means a tenant is able. For some people, paying with a paper check is easiest. Electronic payments can be difficult for older people, people with visual impairments, people with limited English proficiency, and people without access to the Internet. Some landlords require tenants to use online portals that have added fees, and these portals can have glitches and security issues.

(Opposed) None.

**Persons Testifying:** Senator Yasmin Trudeau, prime sponsor; Michele Thomas, Washington Low Income Housing Alliance; and Jennifer Bereskin.

**Persons Signed In To Testify But Not Testifying:** None.